

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA

9 Plaintiff,

10 v.

11 IVAN PHAN,

12 Defendant.

Case No. CR04-257-MJP

DETENTION ORDER

13 Offenses charged:

14 Conspiracy to Distribute Marijuana and Conspiracy to Import Marijuana.

15 Date of Detention Hearing: March 20, 2012.

16 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f),
17 and based upon the factual findings and statement of reasons for detention hereafter set forth,
18 finds that no condition or combination of conditions which the defendant can meet will
19 reasonably assure the appearance of the defendant as required and the safety of any other person
20 and the community.

21 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

22 Defendant was released in 2004 on an appearance bond and failed to appear for his
23 arraignment. The Court therefore revokes the 2004 appearance bond. Since his release in 2004,

1 defendant has been a fugitive. The Court received no information about defendant's ties to the
2 community, employment, residence or health, and defendant did not contest detention. Given
3 the nature of the offense, defendant is presumed detained. He has presented nothing to overcome
4 this presumption.

5 It is therefore **ORDERED**:

6 (1) Defendant shall be detained pending trial and committed to the custody of the
7 Attorney General for confinement in a correctional facility separate, to the extent practicable,
8 from persons awaiting or serving sentences, or being held in custody pending appeal;

9 (2) Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;

11 (3) On order of a court of the United States or on request of an attorney for the
12 Government, the person in charge of the correctional facility in which Defendant is confined
13 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
14 connection with a court proceeding; and

15 (4) The Clerk shall direct copies of this order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services
17 Officer.

18 DATED this 20th day of March, 2012.

19 

20 BRIAN A. TSUCHIDA
21 United States Magistrate Judge
22
23